

October 19, 2009

Honorable Judge Robert D Drain
US Bankruptcy Court Case #05-44481
One Bowling Green Room 632
New York, New York 10004-1408

Dear Judge Drain,

With regards to 37th Omnibus Claims Objection Order:

Claim 16925 6-29-09 \$4278.00 Stanley D Smith

I write this letter to object to the dismissal of claim 16925. The basis for my objection is that the Court cannot discard the obligations to its' Delphi Salaried Retirees. The Court and Delphi cannot deny that Delphi Salaried Retirees that spent the majority of their careers with GM are in fact GM Salaried Retirees. To deny 30 years of work history with GM cannot be allowed to stand. Either Delphi must compensate its' Salaried Retirees or transfer the Salaried Retirees back to GM. This is not a case whereby history can be denied (that being 30 years of employment with GM).

While it is laudable that Delphi is finally emerging from bankruptcy, it is not laudable do so with an unethical, immoral, and perhaps illegal strategy. Delphi has an obligation to its' Salaried Retirees to make good on the implied contracts that it had with its' Salaried workforce. Delphi and the Court must rule that Delphi Salaried Retirees be returned to General Motors.

GM must recognize that if someone worked 25 or more years with GM and then was transferred (without a choice) to a GM created Delphi name and worked under that name in GM owned facilities for less than 10 years before being forced to retire then that Salaried Retiree is a bona fide GM Salaried Retiree and should be treated as such and cannot legally or morally be discarded by Delphi.

Please issue an order that said Delphi Retirees are in fact to be recognized as GM Salaried Retirees and the obligations for said Retirees must be borne by GM if Delphi is unable to assume those obligations. The mere filing of Bankruptcy by Delphi does not alter the history of its' Salaried Retirees and as such no one at Delphi or the Court had the authority to change said history.

Thank you


Stanley D Smith
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copy to

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